

**REPORT OF THE WORKERS' COMPENSATION SUBCOMMITTEE
OF THE FINANCE COMMITTEE**

JUNE 18, 2013

The Honorable,
The Finance Committee of
The Board of Commissioners
of Cook County,

SECTION 1

ATTENDANCE:

Present: Chairman Schneider, Vice Chairman Reyes Commissioners, Moore and Tobolski (4)

Absent: Commissioner Fritchey (1)

Ladies and Gentlemen,

Your Workers' Compensation Subcommittee of the Finance Committee of the Board of Commissioners met pursuant to notice on Tuesday, June 18, 2013 at the hour of 11:30 A.M., in Room 569 of the County Building, 118 N. Clark Street, Chicago Illinois.

Commissioner Moore, seconded by Commissioner Tobolski moved to suspend the rules to take up the supplemental agenda. The motion carried.

323680 CAMPAIGN TO EDUCATE COUNTY EMPLOYEES ON THE SEVERITY OF WORKERS COMPENSATION FRAUD (PROPOSED RESOLUTION). Submitting a Proposed Resolution sponsored by Stanley Moore, County Commissioner.

**CAMPAIGN TO EDUCATE COUNTY EMPLOYEES ON THE
SEVERITY OF WORKERS' COMPENSATION FRAUD**

WHEREAS, worker's compensation benefits are a form of insurance providing wage replacement and medical benefits to employees injured in the course of their employment; and

WHEREAS, there are many legitimate worker's compensation cases, but still, millions of dollars are spent every year, at all levels of government, to pay out fraudulent cases of worker's compensation; and

WHEREAS, Cook County has spent, on average, \$20 million a year on worker's compensation cases; and

WHEREAS, the Worker's Compensation Division of the Cook County State's Attorney's Office defends cases before the Industrial Claims Commission that are believed to be non-compensable; and

WHEREAS, in light of the recent articles and news stories, including the story of one (1) person that allegedly referred to himself as the "duty injury king" and the burden it places on the tax payers of Cook County, the County needs to educate employees on the seriousness of such claims; and

WHEREAS, employees that boast about filing fraudulent worker's compensation, may not understand the severity of the penalties for such fraudulent claims; and

WHEREAS, the penalties for workers compensation fraud, as laid out in 820 ILCS 305/25.5 can range from a Class A misdemeanor to a Class 1 felony, depending on the amount of money involved in the fraud; and

WHEREAS, an awareness campaign, educating employees on the severity of the penalties for such fraud, should deter employees from filing fraudulent worker's compensation claims, potentially saving the County millions of dollars.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners does hereby request that the Department of Risk Management, the Office of the Cook County State's Attorney and the Office of the Inspector General work together on an awareness campaign, educating Cook County employees on the severity of fraudulent worker's compensation claims and the possible penalties associated with such claims.

***Referred to the Finance Subcommittee on Workers' Compensation on 5/29/13.**

Commissioner Moore, seconded by Commissioner Tobolski moved to Accept the Substitute Resolution to Communication No. 323680. The motion carried.

SUBSTITUTE RESOLUTION FOR COMMUNICATION NO. 323680

Sponsored by

**THE HONORABLE STANLEY MOORE, COUNTY COMMISSIONER &
THE HONORABLE TONI PRECKWINKLE, PRESIDENT**

**CAMPAIGN TO EDUCATE COUNTY EMPLOYEES ON THE SEVERITY OF
WORKERS' COMPENSATION FRAUD**

WHEREAS, workers' compensation benefits are a form of insurance providing wage replacement and medical benefits to employees injured in the course of their employment; and

WHEREAS, there are many legitimate workers' compensation cases, but some individuals, across all levels of government and in the private sector, seek to take advantage of the system by pursuing fraudulent workers' compensation claims at significant expense; and

WHEREAS, Cook County has spent, on average, \$20 million a year on workers' compensation cases; and

WHEREAS, the Workers' Compensation Division of the Cook County State's Attorney's Office defends cases before the Illinois Workers' Compensation Commission; and

WHEREAS, in light of the recent articles and news stories, including the story of one person that allegedly referred to himself as the "duty injury king," and the burden it places on the taxpayers of Cook County, the County needs to educate employees on the seriousness of such claims; and

WHEREAS, employees who engage in fraudulent workers' compensation claim activity expose themselves to severe penalties for such fraudulent claims; and

WHEREAS, the penalties for workers compensation fraud, as laid out in 820 ILCS 305/25.5 can range from a Class A misdemeanor to a Class 1 felony, depending on the amount of money involved in the fraud; and

WHEREAS, an awareness campaign to educate employees on the severity of the penalties for such fraud should deter employees from filing fraudulent workers' compensation claims, potentially saving the County millions of dollars over time.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners does hereby request that the Department of Risk Management, the Office of the Cook County State's Attorney and the Office of the Inspector General work together on an awareness campaign to educate Cook County employees on the severity of fraudulent worker's compensation claims and the possible penalties associated with such claims.

Commissioner Moore, seconded by Commissioner Tobolski moved to Approve Communication No. 323680 as substituted. The motion carried.

Commissioner Tobolski, seconded by Vice Chairman Reyes, moved that the Workers' Compensation Subcommittee convene in Open Session to consider the matters of pending Workers' Compensation. The motion carried.

Commissioner Tobolski, seconded by Vice Chairman Reyes, moved Approval of the cases over \$25,000.00. The motion carried.

1. SETTLEMENTS

A. County Government

BURKE, SCOTT
09 WC 24957

\$37,814.04

The Petitioner was knocked down to the ground, injuring his back, while trying to restrain an inmate.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved concur with the State's Attorney's recommendation. The motion carried.

CASTILLO, JULIO
11 WC 42466

\$38,184.40

The Petitioner was struck hit in the face by a combative inmate, injuring his nose and left eye.

12 WC 35053

The Petitioner injured his right hand while restraining a combative inmate.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved concur with the State's Attorney's recommendation. The motion carried.

HUDSON, PATRICIA
09 WC 30129

\$36,000.00

The Petitioner was cleaning a holding cell when she slipped and fell on the wet floor that was recently mopped, injuring her right arm and right ankle.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved Approval. The motion carried.

KOZIEL, SUSAN
02 WC 18476

\$225,000.00

The Petitioner fell onto her right side when she slipped on a wet floor, injuring her right lower back and right hip.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved Defer the case of Susan Koziel. The motion carried.

LEE, BARBARA
12 WC 08718

\$75,000.00

The Petitioner slipped on ice in the employee parking lot and fell, injuring her left hand.

12 WC 08719

The Petitioner slipped on water in the hallway and fell injuring her left wrist.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved concur with the State's Attorney's recommendation. The motion carried.

WASHKEVICH, RONALD
07 WC 51935

\$35,306.32

While trying to break up an altercation the Petitioner fell to the floor, hitting his right knee and back on a bench.

10 WC 46264

The Petitioner was kicked in the left knee while attempting to subdue an unruly detainee.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved concur with the State's Attorney's recommendation. The motion carried.

WEBSTER, DESHONDA
10 WC 24491

\$29,502.80

The Petitioner injured her left thumb and wrist while trying to restrain juvenile detainee from fighting.

11 WC 41113

The Petitioner injured her right hand while breaking up a fight between juvenile detainees.

12 WC 32331

The Petitioner was punched in the face and knocked into the side of a bookcase.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved concur with the State's Attorney's recommendation. The motion carried.

Commissioner Tobolski seconded by Vice Chairman Reyes, moved to adjourn. The motion carried unanimously and the meeting was adjourned.

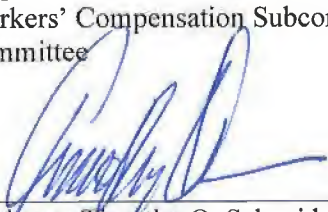
SECTION 2

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTERS NAMED HEREIN:**

Communication Number 323680

Recommend for Approval as substituted

Respectfully submitted,
Workers' Compensation Subcommittee of the Finance
Committee


Chairman Timothy O. Schneider, Chairman

Attest:


Matthew B. DeLeon, Secretary

**** The audio recording for this meeting is available from the Office of the Secretary to the Board, 118 North Clark Street, Room 567, Chicago, IL 60602.**